

**Amendments to the Drawings:**

The attached sheet of drawings includes changes to Fig. 7. This sheet, which includes Fig. 7, replaces the original sheet including Fig. 7.

Attachment: Replacement Sheet

### **REMARKS/ARGUMENTS**

Claims 13-21 are pending. Claim 13 has been amended and claims 14-20 remain unchanged. Claims 1-12 are canceled. New claim 21 has been added.

Re-examination and reconsideration are respectfully requested in view of Applicant's amendment of the pending claims and arguments set forth herein below.

#### **Election/Restriction of Claims**

Applicant confirms the election of Group II without traverse. Claims 1-12 are canceled as directed to a non-elected species, and Applicant reserves the right to seek prosecution of the subject matter of these claims in subsequent applications.

#### **Objection to Drawings**

In an office action mailed June 22, 2007 (hereinafter "Office Action"), the Examiner objected to the drawings, including Fig. 7, for failing to comply with 37 CFR 1.84(p)(5) as not including reference signs 90, 92, 94 and 96 that were mentioned within the description. Accordingly, Applicant submits replacement drawings attached with this response to correct these informalities. As these reference signs were included in the application as originally filed on July 10, 2003 (hereinafter "Application"), no new matter has been introduced.

#### **Rejection Under 35 U.S.C. § 102(b)**

Claims 13-20 were rejected under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Patent 5,558,717 to Zhao et al. [Office Action, page 3] These rejections are traversed and overcome as follows.

Claim 13 has been amended to recite, in part, at least three measurement locations to mount a measuring device to measure distances between the leveling plate and a reference surface fixed with respect to the gas distribution member. Each measurement location includes an aperture in the leveling plate configured for insertion of the measuring device, and each of the at least three adjustment members is separated from the at least three measurement locations.

The support, use and advantages for the measurement locations including an aperture configured for insertion of the measuring devices and separated from the adjustment

members can be found throughout the Application, for example in paragraphs 16 to 19 on pages 3 and 4, and Figs. 1 to 3 of the Application. In the embodiments shown, the adjustment members are connected to the leveling plate at a plurality of adjustment locations distributed on the leveling plate. [Application, page 4, paragraph 17] The measuring plate includes a plurality of measurement locations distributed over the measuring plate. [Application, page 4, paragraph 18] The measurement locations include apertures, for example slots, for mounting the measuring devices. [*Id.*] Each measurement location is disposed in proximity to the adjustment location. [*Id.*] In the embodiment shown in Fig. 2, the adjustment members 34 are shown separated from the measurement locations 50. The advantages of utilizing measurement locations including apertures, for example slots, configured for insertion of the measuring devices and separated from the adjustment members include improved measurements and adjustments to the spacing between the substrate support and the faceplate of the gas distribution member.

Applicant respectfully submits that the Examiner has not shown that Zhao teaches all of the elements of amended claim 13. As the Examiner certainly knows and appreciates, MPEP § 2131 states, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Applicant notes that measurement locations have not been shown in Zhao that include an aperture configured for insertion of the measuring device and separated from the adjustment members, as recited by claim 13. Thus, all of the elements of claim 13 have not been shown in Zhao, such that amended claim 13 is allowable, per MPEP § 2131.

Dependent claims 14-20 depend on claim 13 and are thus allowable over Zhao for at least the same reasons as claims 13.

In conclusion, claims 13-20 are allowable over Zhao for the reasons set forth above.

#### **New Claim 21**

New claim 21 depends on independent claim 13 and recites that each of the at least three measurement locations is separated from a corresponding adjustment location by a distance, and that the distance is no more than 10% of a diameter of the substrate support.

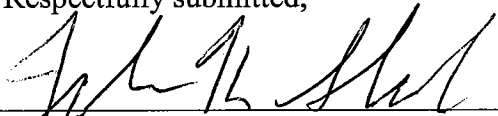
Support for claim 21 can be found in Figs. 1 and 2 and the supporting text in the specification, e.g. paragraph 18, such that no new matter has been added.

**CONCLUSION**

In view of the foregoing, Applicant believes all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

  
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**ANNOTATED DRAWING**

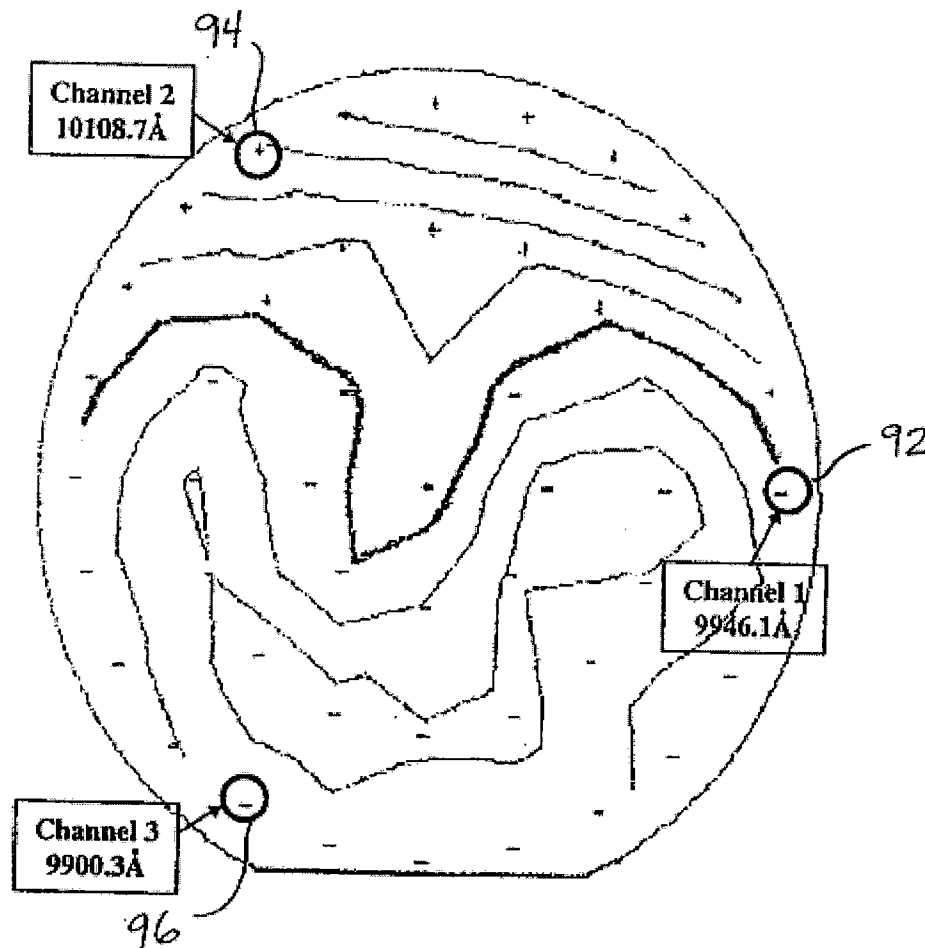


FIG. 7